REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-9, 11-51, 53-77, 79-83, and 85-88 are pending in the present application. Claims 1, 2, 5, 7, 8, 9, 11-15, 18-22, 30, 31, 34, 36-42, 48-51, 53-65, 67, 69-74, and 79-83 are amended and Claims 10, 52, 78, 84, and 89 are canceled by the present amendment.

In the outstanding Office Action, Claims 1-26, 30, 31, 36-39, 44, 45, 48-67, 70, 71, and 74-88 were rejected under 35 U.S.C. § 102(b) as anticipated by Lorimer (EP 0724371 A1); Claims 27-29, 68, 69, and 76 were rejected under 35 U.S.C. 103(a) as unpatentable over Lorimer in view of U.S. Patent No. 6,427,076 to Skog; Claims 32-35 were rejected under 35 U.S.C. § 103(a) as unpatentable over Lorimer in view of U.S. Patent No. 6,014,546 to Georges et al. (herein "Georges"); and Claims 40-43, 46, 47, 72, 73, and 89 were rejected under 35 U.S.C. § 103(a) as unpatentable over Lorimer in view of U.S. Patent No. 6,122,263 to Dahlin et al. (herein "Dahlin").

Claim 1 is amended for clarity and to include features previously contained in dependent Claim 10, and Claim 10 is therefore canceled. In particular, Claim 1 is amended to recite that the selecting includes selecting from available channels in respect of which registration is completed. Claim 1 also recites the mobile telephone periodically scanning received transmissions to identify available communications channels for which it has functional capability and attempting to complete a registration procedure for each available channel. Claim 48 recites similar features.

Claims 1-26, 30, 31, 36-39, 44, 45, 48-67, 70, 71, and 74-88 were rejected under 35 U.S.C. § 102(b) as anticipated by Lorimer. Applicant respectfully traverses that rejection.

Lorimer discloses a mobile telephone that can use any one of a number of different wireless networks. When in an idle mode, described at page 3 lines 1-9, the telephone

attaches, or registers, with a single one of the available networks by completing the registration and handshaking procedure. Although the telephone maintains awareness of other networks, it does not complete registration with other available networks when in idle mode.

Lorimer indicates that when a user wishes to use the telephone and keys in the required destination number, described at page 3 lines 52-55, the telephone then determines which of the networks are available. The telephone then has a facility for automatically selecting one of the networks as described at page 4 lines 5-9 and page 4 lines 24-26, the automatic selection process relying in part upon tariff ratings stored in the telephone to allow a cost comparison to be made between available networks. The telephone performs automatic network selection by identifying the preferred network, and the parameters in this decision include call destination, network availability, and tariff for each available network for the particular time of day (see page 4 lines 24-26). If the selected network is other than the currently attached (i.e., registered) network, the telephone registers with the selected network and initiates call setup (page 4 lines 36-39), this procedure being described as taking up to 30 seconds.

Two problems therefore can be identified with the telephone described by Lorimer. First, it is necessary for the telephone to have sufficient computing power to execute an algorithm to calculate the best option for selecting a network, based in part on stored tariff data, for the time of day and prevailing conditions. This represents an additional processing burden for the hardware of the telephone with cost implications and potential delays in operation.

A second problem is that in the idle mode, the telephone is registered only with one network. If the calculation determines that a different network is optimum for the outgoing call, a registration process must then be initiated with the optimum network and this causes a

further delay of up to 30 seconds. Such delays to a person making a telephone call using a mobile telephone may be unacceptable and will generally be regarded as an undesirable feature.

The claimed invention, as set out in Claim 1, addresses each of these problems. First, the telephone of Claim 1 stores "routing information in a look-up table of the mobile telephone such that the table is populated with data in the form of preferred route codes, each preferred route code being representative of a preferred route for connection to a respective call destination." To determine the preferred network it is therefore necessary only to access the look-up table using an address determined by the call destination information in order to obtain the selected preferred route code, which is not taught or suggested by Lorimer. The claimed invention also does not need to calculate unprocessed tariff data, as in Lorimer, since the results of calculations for each situation have already been calculated in a remote control centre and downloaded for storage in the look-up table.

Such a look-up procedure using a look-up table is inherently quicker and is reliant upon less processing power than the arrangement proposed by Lorimer.

Secondly, the mobile telephone of Claim 1 periodically scans "received transmissions to identify available communications channels for which it has functional capability and [attempts] to complete a registration procedure for each available channel," and this feature is also not taught or suggested by Lorimer. In the claimed invention, selection at the time of making a call is made from those available channels in respect of which registration has already been completed. It is therefore not necessary, once selection has been made using the look-up table, to perform any registration process, as in Lorimer, since the telephone is already registered with those networks from which selection is being made.

The claimed invention therefore avoids the lengthy delay at the time of making a call which is associated with registration using the system proposed by Lorimer.

Similar arguments apply regarding amended Claim 48. Lorimer fails to disclose the "accessing means" of Claim 48 since the "accessing means" is defined as accessing the look-up table using an address determined at least in part by the call destination information to obtain a selected preferred route code. In the case of Lorimer, information retrieved from storage does not comprise the selected preferred route code since the retrieved data needs to be processed using an algorithm before any preferred route can be determined.

Lorimer also fails to disclose the "scanning means" of Claim 48 since the "scanning means" is for periodically scanning received transmissions to identify available communications channels for which it has functional capability and for attempting to complete a registration procedure for each available channel. In Lorimer, registration is completed for only one available channel. At the time of making a call, registration may need to be completed for any channel other than the one with which it is currently registered with the above described inherent disadvantage.

For the foregoing reasons, each of amended independent Claims 1 and 48, and the claims dependent therefrom distinguish over the applied art. Moreover, applicant notes certain of the dependent claims even further distinguish over the applied art.

Further, regarding dependent Claim 2, Claim 2 further recites "the preferred route codes [comprising] the results of a route selection decision by a control centre remote from the mobile telephone." It is this decision making by a remote entity which enables a simple look-up table to be used within the telephone without the need to make the decision in the telephone itself. In contrast, Lorimer teaches that raw unprocessed tariff tables are downloaded to the telephone for use in a complex calculation based on a number of parameters which include the call destination, network availability and tariff for each available network for the particular time of day (see page 4, lines 24-26). The decision and computation using an algorithm to determine the preferred route are therefore clearly carried

out within the telephone of Lorimer. For example, in Claim 6 of Lorimer, reference is made to the algorithm which identifies the cheapest available network on the basis of the above parameters.

Dependent Claim 5 further recites "the preferred route codes further determine a choice of a further network for forward connection." For example in Figure 1, after one of the cellular networks 8a, 8b or 8c is selected, routing to a destination telephone 2 is made via any one of a number of conventional telephone networks 5a, 5b and 5c. That routing information not only determines which of the cellular networks is selected but which of the conventional telephone networks is preferred. Although the outstanding Office Action indicates that Lorimer at page 4, lines 10-35 is relevant, a careful review of this passage finds no reference to selection of a conventional telephone network for forward connection. It is therefore respectfully submitted that dependent Claim 5 further patentably defines over the disclosure of Lorimer.

Dependent Claim 7 further recites "the mobile telephone [adding] a prefix code to the user generated call destination information." This prefix code is used for example for routing via a selected conventional telephone network after the call has been directed via a selected cellular network. The outstanding Office Action indicates that Lorimer discloses relevant subject matter at page 4, lines 5-14, however, Lorimer reveals no reference to such prefix codes. It is therefore respectfully submitted that dependent Claim 7 further patentably defines over the disclosure of Lorimer.

Dependent Claim 8 of the application recites a "the prefix code [including] a customer identification field containing user specific identification data." The passages in Lorimer referred to in the Office Action, however, make no reference to any such customer identification field or equivalent feature.

Similarly, regarding dependent Claims 9 and 51, the mobile telephone claimed therein utilizes a charging information field in the prefix code. The passages referred to in the Office Action in this respect do not make any reference to use of a prefix code added to the dialed telephone number, and therefore, make no reference to any charging information field of the added prefix code.

It is therefore respectfully submitted that dependent Claims 8, 9, and 51 further patentably define over Lorimer.

Regarding dependent Claims 13-16 and 55-57, those claims further recite storing the routing table in a portable storage medium removably installed in the mobile telephone. As explained above, Lorimer does not make use of a look-up table as defined in accordance with the present invention. Therefore, Lorimer does not teach or suggest storing the look-up table in a portable storage medium. Lorimer however, stores raw unprocessed data in the form of tariff data in a SIM card of the telephone, which is not equivalent to storing the look-up table of the present invention.

Regarding dependent Claims 18 and 59, those claims further recite utilizing a routing table, carrier selection table, and a carrier access table. Lorimer on the other hand utilizes none of these components. As explained above, that routing table contains the preferred route codes, which are the result of a calculation as to the optimum selected route, the calculation having been made remotely and the results downloaded for storage in a look-up table within the mobile telephone. In contrast, Lorimer teaches that raw unprocessed data including tariff data is stored within the telephone and periodically updated. At the time of making a call, the processor within the mobile telephone runs an algorithm to which this data is input along with other parameters to allow a calculation to be performed within the telephone. It is submitted that Lorimer does not use a routing table containing the preferred

route codes since it is necessary for the processor within the telephone on Lorimer to perform a calculation to arrive at the preferred route.

Similarly, dependent Claim 18 further recites utilizing a carrier selection table. For each preferred route code, a limit is provided in order of priority to determine the carrier selection to be used. A carrier access table then contains for each carrier selection the required channel selection and prefix code to be added to the dialed number. No corresponding features can be found in the disclosure of Lorimer.

Similarly, the features of dependent Claims 19-21 have no counterpart in Lorimer because Lorimer does not use a look-up table scheme but relies on calculation from raw data.

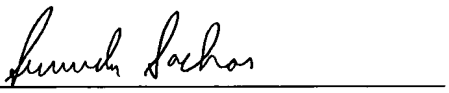
In addition, it is respectfully submitted the remaining references in the outstanding Office Action also do not teach or suggest the features of the independent claims. Accordingly, it is respectfully submitted that the independent claims are allowable and that the dependent claims are allowable as dependent from allowable base claims.

In the above comments, reference is made to a number of features of preferred embodiments. It is to be understood, however, that the scope of the claims is defined only by the language of the claims.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599
Surinder Sachar
Registration No. 34,423
Attorneys of Record

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)
GJM/SS/ZSS:dnf

I:\ATTY\ZS\21's\210\210375US\210375US-AM.DOC